

House Bill 75

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide that it shall be illegal for certain persons to engage in certain election related activities; to provide a penalty; to provide a definition; to provide that a court or administrative body may revoke or suspend a person's right to vote under certain circumstances; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, is amended by adding new Code Sections 21-2-603 and 21-2-604 to read as follows:

"21-2-603.

(a) It shall be illegal for a person who has been convicted of a violation of this chapter or has been found by a court or an administrative body of this state to have violated any of the provisions of this chapter to:

(1) Transfer or transport electors to the polls to vote, except members of such person's immediate family;

(2) Assist another in voting a ballot, except members of such person's immediate family;

(3) Be or remain within a building in which a polling place is located during the hours that the polls are open on an election day or within 500 feet of the outer edge of a building in which a polling place is located during the hours that the polls are open on an election day, except to cast his or her own ballot;

(4) Have in his or her possession or control an absentee ballot application or absentee ballot of any elector other than himself or herself; or

(5) Transfer or transport electors to the office of the registrars or absentee ballot clerk to vote an absentee ballot, except members of such person's immediate family.

(b) A person who violates subsection (a) of this Code section upon the first conviction shall be guilty of a misdemeanor of a high and aggravated nature. A person who violates subsection (a) of this Code section upon a second or subsequent conviction shall be guilty of a felony and shall upon conviction be sentenced to serve three to five years imprisonment or pay a fine not to exceed \$50,000.00, or both.

(c) For the purposes of this Code section, the term 'immediate family' shall mean a person's spouse, children, and parents.

21-2-604.

A court upon the conviction of a person of a violation of this chapter or a court or administrative body of this state upon a finding that a person has violated this chapter may, in addition to such other penalties, sanctions, and remedies available to such court or administrative body, suspend or revoke the right of such person to vote in primaries and elections in this state for a period of five years."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.